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PATENT APPLICATION

Attorney Docket No. 6770200-0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jon Lee Curzon, et al.

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Certificate of Mailing

Application No.: 10/805,089

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22313-1450.

Filed: March 19, 2004

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Title: FLAME RETARDANT AND
MICROBE INHIBITING
METHODS AND
COMPOSITIONS

)

Group Art Unit:

)

) August 1, 2005

Robert L. Hasteiner

Examiner:

) Date

Registration No. 32,990

) Attorney for Applicants

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56, §1.97 AND §1.98

Hon. Director of the United States Patent and Trademark Office

Attention: Commissioner for Patents

P.O. Box 1450, Alexandria, VA 22313-1450

Dear Sir:

Applicants draw the Examiner's attention to the documents listed on the accompanying Information Disclosure Citation, which is being submitted by Applicants to the U.S. Patent and Trademark Office ("Patent Office") for consideration, and request that the Examiner consider them and make them of record in the above-identified Application. Applicants request that the Examiner make the documents listed on the accompanying Information Disclosure Citation of record, and indicate the Examiner's

consideration of the same, by initialing one copy of the Information Disclosure Citation enclosed and returning it to their attorney.

With the exception of one reference (G. Dallemagne, Societe Nationale Industrielle Aerospatiale, Les Mureaux, France, Report No. SNIAS-821-551-105, DCQ/L-160.390/82, 14 pages (1982)), copies of each of the foreign patent documents and non-patent references listed on the accompanying Information Disclosure Citation are enclosed for the Examiner's review. Applicants have not been able to procure a copy of the G. Dallemagne reference.

The International Search Report for the international patent application that corresponds with the above-identified patent application (International Patent Application No. PCT/US 03/15862) lists the following three documents: (1) DE 41 08 341 A (in German); (2) US 4 756 839 A; and (3) WO 00 00570A (in German). Applicants have enclosed herewith English-language translations of DE 41 08 341 A and WO 00/00570. An English-language translation of DE 41 20 993 A1 (in German) is also enclosed.

An English-language abstract is enclosed for each of the other foreign-language documents listed on the Information Disclosure Citation (with the exception of those documents that are marked with an asterisk, for which Applicants have not been able to procure an English-language abstract). Other than these English-language abstracts, no English-language translation of any other portion of these documents is within the possession, custody, or control of, and is not readily available to, any individual designated in 37 C.F.R. §1.56(c). Thus, a translation of other portions of these documents into the English language is not required under 37 C.F.R. §1.98(a)(3)(ii).

The paragraph set forth below appears in an Information Disclosure Citation (page 11) filed by Applicants with the U.S. Patent and Trademark Office on December 8, 2003 (along with an Information Disclosure Statement) for parent patent application U.S. Serial No. 10/408,072, filed on April 4, 2003.

“Developmental quantities of a composition described in the above-identified patent application were sold by SMT, Inc., the assignee of the invention described in the above-identified patent application, to MG3 Technologies, Inc., in January of 2003 via purchase order.”

After such Information Disclosure Citation was filed with the Patent Office, Applicants provided the undersigned attorney with a copy of Invoice No: 2721 (copy enclosed), which shows that the sale described in the above paragraph was for QUAD-EX, a product that is described in U.S. Patent No. 4,756,839, and not for the composition described in patent application U.S. Serial No. 10/408,072 (or in the above-identified patent application). QUAD-EX is different from the invention described and claimed in patent application U.S. Serial No. 10/408,072, and in the above-identified patent application. Thus, the above paragraph is not relevant to the above-identified patent application and, thus, does not appear in the Information Disclosure Citation that accompanies this Information Disclosure Statement.

Because this Information Disclosure Statement is being filed with the U.S. Patent and Trademark Office before the mailing of a first office action for the application on the merits, no fee is due under 37 C.F.R. §1.17. However, the Commissioner is hereby authorized to charge any fees that may be required in connection with this Information Disclosure Statement to Deposit Account No. 122144.

Respectfully submitted,

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6770200-0001

Information Disclosure Citation

Applicants: Jon Lee Curzon et al.

Application No.: 10/805,089

Title: Flame Retardant and Microbe
Inhibiting Methods and Compositions

Filed: March 19, 2004

Group Art Unit:

Examiner:

1. U.S. Patents

Examiner Initial	Patent Number	Issue Date	Name	Class	Subclass	Filing Date
____	6,893,752 B2	5/17/05	Veeramasuneni et al.	428	723	6/28/02
____	6,699,426 B1	3/2/04	Burke	264	426	5/10/00
____	6,680,127 B2	1/20/04	Capps	428	537.7	9/17/02
____	6,387,172 B1	5/14/02	Yu et al.	106	680	4/25/00
____	6,342,284 B1	1/29/02	Yu et al.	428	70	8/21/98
____	6,335,308 B1	1/1/02	Kitten	504	101	3/29/00
____	6,333,399	12/25/01	Teslenko et al.	536	20	2/12/96
____	6,231,650 B1	5/15/01	Mallow et al.	106	15.05	9/17/99
____	6,280,509 B1	8/28/01	Mallow et al.	106	15.05	9/10/99
____	6,096,122	8/1/00	Kappock et al.	106	18.36	12/16/98
____	6,010,596	1/4/00	Song	162	158	12/20/96
____	5,939,203	8/17/99	Kappock et al.	428	469	2/21/97
____	5,883,154	3/16/99	Kappock et al.	523	122	6/25/96
____	5,612,094	3/18/97	Schubert et al.	427	397	10/18/95

_____	5,562,995	10/8/96	Kappock	428	469	2/3/95
_____	5,518,774	5/21/96	Kappock et al	427	384	6/26/95
_____	5,399,190	3/21/95	Conradie et al.	106	18	9/2/91
_____	4,961,865	10/9/90	Pennartz	252	7	3/6/89
_____	4,935,232	6/19/90	McIntosh	424	78	4/27/90
_____	4,816,186	3/28/89	Acitelli	252	610	11/3/86
_____	4,756,839	7/12/88	Curzon et al.	252	2	2/9/87
_____	4,725,382	2/16/88	Lewchalemwong	252	607	4/3/86
_____	4,647,486	3/3/87	Ali	428	70	6/11/85
_____	4,610,881	9/9/86	Bechgaard	424	148	2/12/82
_____	4,461,721	7/24/84	Goettsche et al.	252	607	4/12/82
_____	4,439,566 A	3/27/84	Thomas	524	108	4/16/82
_____	4,323,565	4/6/82	Hasegawa et al.	424	246	5/20/80
_____	4,303,726	12/1/81	Turner	427	297	6/25/80
_____	4,302,345	11/24/81	McCarter	252	62	9/12/80
_____	4,278,468	7/14/81	Selbe et al.	106	774	9/10/79
_____	4,234,340	11/18/80	Pellico	106	15.05	5/11/79
_____	4,116,931	9/29/78	Minhas et al.	260	45.75	12/19/77
_____	3,998,944	12/21/76	Long	424	413	5/8/74
_____	3,877,979	4/15/75	Clark	427	337	9/8/72
_____	2,432,963	12/16/47	Camp	—	—	3/30/45
_____	1,339,488	5/11/20	Weiss et al.	—	—	1/23/19

2. Published U.S. Patent Applications

Examiner Initial	Publication Number	Publication Date	Name	Class	Subclass	Filing Date
_____	US 2003/0031898 A1	2/13/03	Capps	428	703	9/17/02
_____	US 2003/0017565 A1	1/23/03	Echigo et al.	435	189	10/21/97
_____	US 2003/0234068 A1	12/25/03	Swofford et al.	156	39	6/6/03
_____	US 2003/0037502 A1	2/27/03	Bruce et al.	52	517	10/21/02
_____	US 2003/0035981 A1	2/20/03	Capps	428	703	8/1/02
_____	US 2004/0005484 A1	1/08/04	Veeramasuneni et al.	428	703	6/28/02

3. Related U.S. Patent Applications

Examiner Initial	Application Number	Filing Date	Name	Publication Number	Publication Date
_____	10/408,072	April 4, 2003	Curzon et al.	2003/0170317 A1	9/11/03
_____	10/176,411	June 19, 2002	Curzon et al.	None Known	None Known
_____	60/348,543	January 16, 2002	Curzon et al.	None	None

4. Foreign Patent Documents

Examiner Initial	Country	Patent Application Number	Patent or Publication Number	Patent or Publication Date
_____	Japan	JP2001000027115	JP 2002226828 A2	8/14/02
_____	Japan	JP1998000375719	JP 2000108108 A2	4/18/00
_____	Japan	JP200193039	JP 2002294205 A2	10/9/02
_____	Japan	JP19990098148	JP 2000290827	10/17/00

_____	Japan	JP 19920197468	JP 6025980 A2	2/1/94
_____	Japan	JP 19960198539	JP 10025479 A2	1/27/98
_____	Japan	JP 87153883	JP 88317302 A2	12/26/88
_____	Japan	JP99317880	JP 3122818 B1	1/9/01
_____	Japan	JP19980240104	JP2000063564 A2	2/29/00
_____	Japan	JP96199357	JP9836610 A2	2/10/98
_____	Japan	JP19960162176	JP 107861 A2	1/13/98
_____	Japan	EP20000971824	JP 2001-131409	12/19/01
_____	Japan	JP 4069301	JP 02180462	3/4/92
_____	China	CN 98100234	CN 1223290 A	7/21/99
_____	Russia	RU2000000119386	RU 2178029 C1	1/10/02
_____	Russia	RU19940041329	RU 2091417	9/27/97
_____	Russia	RU19940005044	RU 2071491	1/10/97
_____	Russia	RU1998104290	RU 2149148	5/20/00
_____	Russia	RU19990106231	RU 2147028 C1	3/27/00
_____	Romania	RO112819	RO 87738 B1	10/28/85
_____	Germany	DE 4339078	DE 4339078 A1	5/18/95
_____	Germany	DE7931162	DE 3010375	3/2/82
_____	Germany	P 41 20 993.1	DE 41 20993 A1	12/10/92
_____	Germany	P 41 08 341.5	DE 41 08341 A1	9/17/92
_____	United Kingdom	GB 19990023253	GB 2354771 A1	4/4/01
_____	United Kingdom	50580/70	GB 1 306 740	2/14/73

_____	Europe	87307228.4	EP 0 285 721 A1	10/12/88
_____	Europe	94111725.1	EP 0 636 461 A1	1/2/95
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_____	PCT	PCT/US01/21203	WO 02/06021 A2	1/24/02
_____	PCT	WO 99GB2483	WO 2000/07804 A1	2/17/00
_____	PCT	PCT/EP99/04492	WO 00/00570	1/6/00
_____	PCT	PCT/US96/16443	WO 97/14303	4/24/97

5. Other Documents

Examiner Initials	Author	Title, Publication, Relevant Pages, Date and Place of Publication
_____	James F. O'Bryon	"Think Globally, Act Globally," Halon Options Technical Working Conference, April 27-29 (1999)
_____	J. Berezovsky et al.	"Pyrogen Fire Suppression Grenades," Halon Options Technical Working Conference, 480-487, April 27-29 (1999)
_____	Bradley A. Williams et al.	"Suppression Mechanisms of Alkali Metal Compounds," Halon Options Technical Working Conference, 157-166, April 27-29 (1999)
_____	Jennifer Fogel et al.	"Mold Performance of some Construction Products with and without Borates," Forest Prod. J. 52(2):38-43 (2002).
_____	Bradley A. Williams et al.	"Suppression Mechanisms of Alkali Metal Compounds," U.S. Naval Research Laboratory, Halon Options Technical Working Conference, pages 157-166 (April 27-29, 1999).

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- ____ Alistagen Excerpt from web site http://www.alistagen.com/products_body.htm entitled "Description of Product" (2002).
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6. Other

<u>Examiner Initials</u>	<u>Relevant Information</u>
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____ An abstract entitled, "Method of Non-Destructive Treatment of Wallboard in Remediation and Prevention of Mold Infestation" was submitted for publication on or about January 27, 2003 to the Federation of Societies for Coatings Technology. It is the understanding of the inventors that this abstract was never published.

Examiner's Name: _____

Examiner's Signature: _____

Date Considered: _____, 200____